

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff-Respondent,

v.

CIV 06-0343 WJ/KBM
CR 02-1056 WJ

FRANK GABALDON,

Defendant-Movant.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION**

The Magistrate Judge filed her proposed findings on March 6, 2009, recommending that Defendant's that the § 2255 petition be denied and that other motions be denied as moot. *See Doc. 53.* She granted Defendant a generous extension in which to file his objections, which he has, but the Clerk mis-docketed them as being filed by the United States. *See Docs. 54-57.* I have carefully reviewed all the objections *de novo*. They assert that the Magistrate Judge's analysis of the merits is biased and distorted. I disagree and find the objections utterly baseless.

Wherefore,

IT IS HEREBY ORDERED AS FOLLOWS:

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 53*) is ADOPTED;
2. The § 2255 petition (*see Docs. 1, 4*) is DENIED;
3. The other motions (*Docs. 51, 52*) are DENIED as moot; and
4. A final order enter concurrently herewith.

A handwritten signature in black ink, appearing to be 'A. M. ...', is written over a horizontal line.

UNITED STATES DISTRICT JUDGE